

REMARKS

This is intended as a full and complete response to the Final Office Action dated November 1, 2006, having a shortened statutory period for response set to expire on February 1, 2007. Applicants submit this response to place the application in condition for allowance or in better form for appeal. Please reconsider the claims pending in the application for reasons discussed below.

Claims 10-12, 14-21 and 27-29 are pending in the application. Claims 10-12, 14-21 and 27-29 remain pending following entry of this response. Claims 10 and 20 have been amended. Applicants submit that the amendments do not introduce new matter.

Claim Objections

Claim 20 is objected to because of the following informalities. The examiner suggests changing "obtaining a list of functional modules accessible from within the application" to "obtaining a list of functional modules accessible from within the application;..."

The claim has been amended as suggested. Thus, Applicants respectfully request withdrawal of this objection.

Claim Rejections - 35 U.S.C. § 103

Claims 10-12, 14-21 and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Win et al.* (U.S. Patent 6,453,353, hereinafter, "*Win*") and in view of *Pazandak et al.* (U.S. Patent 7,027,975, hereinafter, "*Pazandak*").

Applicants respectfully traverse this rejection.

The Examiner bears the initial burden of establishing a *prima facie* case of obviousness. See MPEP § 2142. To establish a *prima facie* case of obviousness three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one ordinary skill

in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Third, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP § 2143. The present rejection fails to establish at least the first and third criteria.

For example, regarding claims 10 and 20, the combination of prior art references fails to teach or suggest all of the claim limitations. Based on different interpretations of “runtime metadata” presented by the Examiner, the combination of prior art references either fails to teach *collecting runtime metadata relating to a query session, wherein the metadata is collected after the composition of a query or identifying a limited subset of the functional modules in the list that will successfully execute, by comparing the collected runtime metadata with the assigned metadata requirements.*

The Examiner first interprets “assigned metadata requirements” to be analogous to *Win*’s “roles” (which determine what resources a User can access). (See, for example, page 4, lines 9-11, and page 15, lines 21-23, of the current Office Action.) Moreover, the Examiner interprets “successful execution of functional modules” to be analogous to *Win*’s “resources to which a User has access” (page 5, lines 10-12, of the current Office Action) or “an appropriate set of resources...based on the user’s role” (page 15, lines 23-24, of the current Office Action). (Note that “successful execution” is, in fact, a more stringent limitation than “an appropriate set of resources...based on the user’s role.” For example, a resource requiring three input parameters cannot be successfully executed, even by a user with full administrator privileges, if given only a single input parameter. See also the 3rd sentence of [0044] and the last 3 sentences of [0046] of the current Application.) Under this interpretation, the Examiner asserts that *Win* teaches *identifying a limited subset of the functional modules in the list that will successfully execute, by comparing the collected runtime metadata with the assigned metadata requirements.* Explicitly, the Examiner’s interpretation implies that the “collected runtime metadata” must implicate “user roles,” so that comparison can be made with “assigned metadata requirements.”

However, under an interpretation of “runtime metadata” as “user roles,” the combination of prior art references fails to teach *collecting runtime metadata relating to a query session, wherein the metadata is collected after the composition of a query*. (The Examiner acknowledges that *Win* does not teach this limitation, due to the fact that *Win*’s “roles” are not “collected after the composition of a query” (*Win* column 5, lines 60-65)). In *Pazandak*, the Parser responds to an End-User’s selection from the menu choices by returning a list of next choices (*Pazandak* column 12, lines 59-62). As the Examiner notes, the Parser could send “the set or subset of the Interface Descriptor 306, e.g., LL Parser ID, transaction ID, or other metadata” (*Pazandak* column 17, lines 16-20). Therefore, *Pazandak* only teaches *collecting runtime metadata relating to a query session, wherein the metadata is collected after the composition of a query* under an interpretation of “runtime metadata” as “End-User selection from the menu choices,” not when the “runtime metadata” is “user roles.” Alternatively, under an interpretation of “runtime metadata” as “End-User selection from the menu choices,” the combination of prior art references fail to teach *identifying a limited subset of the functional modules in the list that will successfully execute, by comparing the collected runtime metadata with the assigned metadata requirements*.

Were the two references combined, the “collected runtime metadata” could not be both “user roles” and “End-User selection from the menu choices.” If the “collected runtime metadata” comprised “user roles,” then the combination of the references would fail to teach *collecting runtime metadata relating to a query session, wherein the metadata is collected after the composition of a query*. If the “collected runtime metadata” comprised “End-User selection from the menu choices,” then the combinations of the references would fail to teach *identifying a limited subset of the functional modules in the list that will successfully execute, by comparing the collected runtime metadata with the assigned metadata requirements*. Were it possible to successfully combine the two references, the proposed combination would fail to teach or suggest all of the claim limitations. The present rejection, thereby, fails to establish at least the third criteria for a *prima facie* case of obviousness.

Therefore, claims 10, 20, and their dependents, are believed to be allowable, and allowance of the claims is respectfully requested.

Additionally, the motivation to combine the two references cannot be based upon a combination which would render the references unsatisfactory for their intended purpose. If given *Pazandak's* "End-User selection from the menu choices" as "collected runtime data," *Win's* system could not identify "an appropriate set of resources...based on the user's role." However, if given "user roles" as "collected runtime data," *Pazandak's* system could not "acquire a list of choice items" (*Pazandak* column 12, lines 59-62, and column 17, lines 2-3). Therefore, the combination of the two references would necessarily render at least one of the references unsatisfactory for its intended purpose. Such a combination cannot serve as an adequate motivation to combine references to establish a *prima facie* case of obviousness. Therefore, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

If the Examiner believes any issues remain that prevent this application from going to issue, the Examiner is strongly encouraged to contact Randol W. Read, attorney, at (713) 623-4844, to discuss strategies for moving prosecution forward toward allowance.

Respectfully submitted,



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